

40.230 COMMERCIAL, BUSINESS, MIXED USE AND INDUSTRIAL DISTRICTS

40.230.010 COMMERCIAL DISTRICTS (CR-1, CR-2, C-2, C-3, CL, CH)

A. Purpose.

1. Rural Commercial (CR-1, CR-2) Districts. These rural commercial districts are intended to provide for the location of small businesses and services that are sized to serve the rural community. These commercial areas are located in areas designated as rural commercial on the comprehensive plan map either within rural centers (CR-2) or in other areas of existing commercial activity in the rural area outside rural centers (CR-1). They should be designed to complement and support the rural environment without creating land use conflicts.
2. Neighborhood Commercial (C-2) District. These commercial areas of limited size are intended to provide for the convenience shopping needs for a limited trade area. The types of goods sold in these districts are purchased weekly and are not the type of which people would generally engage in comparison shopping for. Uses allowed include convenience food markets, beauty and barber shops, bakeries and limited services. This district is permitted under the neighborhood commercial and mixed use comprehensive plan designations.
3. Community Commercial (C-3) District. These commercial areas are intended to provide for the regular shopping and service needs for several adjacent neighborhoods. Community commercial areas shall not create or contribute to a commercial strip development pattern. They should occur as small centers, ideally at the junction of two major public streets (collectors or arterials). These areas are held to a high standard of site plan review due to the close proximity of the residential neighborhoods they serve and should comply to the highest degree possible with the design guidelines contained in this chapter. This district is only permitted in areas designated as community commercial or mixed use on the comprehensive plan.
4. Limited Commercial (CL) District. These commercial areas are intended to recognize areas of existing retail and service commercial businesses that have occurred in strips along major arterials. These commercial areas provide a full range of goods and services necessary to serve large areas of the county. New limited commercial areas shall not contribute to additional strip development. This district is permitted in areas designated on the comprehensive plan map as community commercial, general commercial and mixed use.
5. Highway Commercial (CH) District. These commercial areas are intended to serve large areas of the county, the traveling public and also to recognize areas of existing strip development. These areas generally located at the interchanges and along state highways and interstates. New commercial areas shall not contribute to additional strip development patterns. Uses allowed in this district may involve drive-in, large space users, outdoor sales, wholesale activities, repair services and other heavy commercial users. This district is limited to the general commercial comprehensive plan designation.

B. Definitions. For the purposes of this section, the following definitions shall apply:

1. "Within rural center" means those geographical areas of the county that are located in an identified rural center on the comprehensive plan and zoning maps.
2. "Outside rural center" means those geographical areas of the county that are not located inside of an adopted rural center as identified on the comprehensive plan and zoning maps.
3. "Natural resource activities" means those uses that are dependent upon the natural environment for their existence, including agriculture, forestry and some forms of outdoor recreation.
4. "Streets", in commercial zones, the definition of "street" shall be limited to public rights-of-way.

C. Uses. The uses set out in Table 40.230.010-1 are examples of uses allowable in the various zone districts. The appropriate review authority is mandatory.

"P" Uses allowed subject to approval of applicable permits.

"R/A" Uses permitted upon Review and Approval as set forth in Section 40.520.020.

"C" Conditional uses which may be permitted subject to the approval of a Conditional Use Permit as set forth in Section 40.520.030.

"X" Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Special Uses (Chapter 40.260) or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	CH	Special Standards
1. Residential uses. Residential uses are only permitted in commercial zones when integrated with the pre-dominant use of the site as commercial and occupying less than fifty percent (50%) of the floor area of the project. The residential uses must be constructed following or in conjunction with the commercial aspects of the proposal. For the purposes of subsections 1(a) and (1)(b) of this table, "commercial uses" are those uses listed in item (2), (3), (4), (7), (8), (9), (11), (12), (14), (15) and (17) of this table.							
a. Medium density (Integrated multifamily/commercial or mixed use structure not to exceed 22 residential units per acre.)	X	X	P	P	P	P	40.260.150
b. High density (Integrated multifamily/commercial or mixed use structure not to exceed 43 residential units per acre.)	X	X	C	P	P	P	40.260.150
c. Existing residences without any increase in density	P	P	P	P	P	P	
d. Home occupations	P	P	P	X	X	X	40.260.100
e. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A ¹	R/A ¹	R/A	R/A	R/A	R/A	40.260.050
f. Bed and breakfast establishments (3 or more guest bedrooms)	C ¹	C ¹	C	C	C	C	40.260.050
g. Temporary dwellings	P	P	P	X	X	X	40.260.210
h. One (1) single-family residence in conjunction with a use permitted outright or by conditional use	P	P	P	X	X	X	
2. Retail Sales—Food.							
a. Markets in excess of 25,000 square feet gross floor area	X	X	C	P	P	P	
b. Markets—5,000 to 25,000 square feet of gross floor area	C ¹	P	P	P	P	P	
c. Markets— < 5,000 square feet of gross floor area	P	P	P	P	P	P	
d. Bakery—primarily retail outlet (> 10,000 square feet of gross floor area)	X	X	X	X	P	P	
e. Bakery--primarily retail outlet (< 10,000 square feet of gross floor area)	P	P	P	P	P	P	
3. Retail Sales—General.							
a. General retailer (over 200,000 square feet gross floor area)	X	X	X	C	C	P	
b. General retailer (100,000--200,000 square feet)	X	X	X	C	P	P	
c. General retailer (25,000--100,000 square feet gross floor area)	X	X	X	P	P	P	
d. General retailer (under 25,000 square feet gross floor area)	X	P	C	P	P	P	
e. Single purpose/specialty retailers (less than 10,000 square feet gross floor area)	P	P	P	P	P	P	
f. Single purpose/specialty retailers (10,000--25,000 square feet gross floor area)	X	C ¹	X	P	P	P	

Table 40.230.010-1. Uses

	CR-1	CR-2	C-2	C-3	CL	CH	Special Standards
g. Single purpose/specialty retailers (greater than 25,000 square feet gross floor area)	X	X	X	C	P	P	
h. Yard and garden supplies, including nurseries	P	P	X	P	P	P	
4. Retail Sales—Restaurants, Drinking Places.							
a. Restaurants, with associated drinking places, alcoholic beverages	C ¹	P	C	P	P	P	
b. Drinking places, alcoholic beverages (with or without entertainment)	C ¹	C ¹	C	C	P	P	
5. Retail Sales and Services—Automotive and Related.							
a. Motor vehicle dealers, new and used, including auto, truck trailer, boat, recreational vehicles and equipment	X	C ¹	X	X	P	P	
b. Quick vehicle servicing	X	C ¹	X	C	P	P	
c. Filling station	C ¹	C ¹	C	C	C	P	
d. Motorcycles	X	C ¹	X	C	P	P	
e. Manufactured home sales	X	X	X	X	X	P	
f. Car washes	X	C ¹	X	C	P	P	
g. Vehicle rental or repair including auto, truck trailer, boat, and recreational vehicles.							
(1) Located entirely within an enclosed building	C ¹	C ¹	X	X	P	P	
(2) Including outside storage or repair	X	C ¹	X	X	C	P	
h. Commercial off-street parking facilities	X	X	X	P	P	P	
i. Vehicle towing and storage services	X	C ¹	X	X	C	P	
j. Transportation terminals.							
(1) Freight	X	C ¹	X	C	C	P	
(2) People	P	P	P	P	P	P	
6. Retail Sales—Building Material and Farm Equipment.							
a. Lumber and other building materials stores and yards, with only incidental cutting and planing of products sold	C ¹	C ¹	X	X	X	P	
b. Heating and plumbing equipment, including incidental fabrication (operated entirely within an enclosed building)	X	C ¹	X	C	P	P	
c. Hardware, home repair and supply stores (over 100,000 square feet gross floor area)	X	X	X	X	P	P	
d. Hardware, home repair and supply stores (25,000 to 100,000 square feet gross floor area)	X	X	X	C	P	P	
e. Hardware, home repair and supply stores (under 25,000 square feet gross floor area)	X	P	C	P	P	P	
f. Farm equipment and implement dealer	P	P	X	X	X	P	
g. Hay, grain, and feed stores	P	P	X	X	X	P	
7. Retail Sales—Products (Finished product retailers with primary fabrication or assembly on site. Within an entirely enclosed building.).							
a. Uses of < 5,000 square feet gross floor area	C ¹	C ¹	X	P	P	P	

Table 40.230.010-1. Uses

	CR-1	CR-2	C-2	C-3	CL	CH	Special Standards
b. Uses of 5,000--25,000 square feet gross floor area	X	C ¹	X	R/A	P	P	
c. Uses of 25,000 square feet gross floor area or greater	X	X	X	X	P	P	
8. Services—Personal.							
a. Self-service laundries, dry cleaning, including pressing, alteration, garment and accessory repair, excluding industrial cleaning services	C ¹	P	P	P	P	P	
b. Barber and beauty shops	P	P	P	P	P	P	
c. Clothing rental establishments	X	X	X	P	P	P	
d. Mortuaries	C ¹	C ¹	X	X	C	P	
9. Services—General.							
a. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (<2,500 square feet)	P	P	P	P	P	P	
b. Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services (>2,500 square feet)	X	X	X	P	P	P	
c. Office equipment and home appliance rental, service and repair agencies	X	C ¹	X	X	P	P	
d. Printing, publishing and lithographic shops	X	C ¹	X	X	P	P	
e. Services to buildings (including dwellings), cleaning and exterminating	X	X	X	C	C	P	
f. Moving and storage	X	X	X	X	X	P	
g. Mini-warehouse with accessory RV storage	X	X	X	X	P	P	
h. Auction barns	C ¹	C ¹	X	X	X	P	
i. Branch banks	C ¹	P	P	P	P	P	
j. Event facilities (<10,000 square feet)	X	P	P	P	P	P	
k. Event facilities (10,000 to 50,000 square feet)	X	X	X	P	P	P	
l. Event facilities (>50,000 square feet)	X	X	X	X	C	C	
10. Services—Lodging Places.							
a. Hotels/motels	X	X	X	C	C	P	
b. Recreational vehicle parks and campgrounds	X	C ¹	X	X	X	P	
11. Services—Medical and Health.							
a. Hospitals	X	X	X	X	X	C	
b. Outpatient clinics	X	C ¹	C	P	P	P	
c. Medical laboratories	X	X	X	C	P	P	
d. Sanitaria, convalescent and rest homes	X	X	X	X	X	C	
e. Orthopedic equipment and supplies, rental, sales and services	X	X	X	P	P	P	
f. Animal hospitals and veterinary clinics.							
(1) Outside animal activities	C ¹	C ¹	X	X	C	C	
(2) Inside animal activities only	C ¹	C ¹	C	P	P	P	
g. Ambulance services	P	P	P	P	P	P	
h. Residential care homes	C ¹	C ¹	C	C	C	C	
i. Residential and congregate care facilities	X	X	X	C	C	C	

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	CH	Special Standards
12. Services—Professional Office.							
a. Professional offices (<10,000 square feet gross floor area)	C ¹	P	X	P	P	P	
b. Professional offices (>10,000 square feet gross floor area)	X	C ¹	X	C	P	P	
c. Artists/photographic studios	C ¹	C ¹	P	P	P	X	
13. Services—Amusement.							
a. Amusement centers	X	X	X	X	C	C	
b. Bowling alleys, billiard and pool parlors, and video arcades	X	X	X	C	P	P	
c. Skating rinks, ice and/or roller	X	X	X	X	P	P	
d. Theaters, indoor	X	X	X	C	C	P	
e. Drive-in theaters, stadium and arena facilities	X	X	X	X	X	C	
f. Athletic, health and racket clubs (< 5,000 square feet of gross floor area)	P	P	P	P	P	P	
g. Athletic, health and racket clubs (< 10,000 and > 5,000 square feet of gross floor area)	X	X	C	C	P	P	
h. Athletic, health and racket clubs (> 10,000 square feet of gross floor area)	X	X	X	C	P	P	
i. Circuses, carnivals, or amusement rides	R/A ¹	R/A ¹	R/A	R/A	R/A	R/A	40.260.060
14. Services—Educational.							
a. Nursery schools, preschools	C	C	C	C	P	P	40.260.160
b. Day care facilities consistent with Chapter 388.73 of the Washington Administrative Code	P	P	P	P	P	P	40.260.160
c. Libraries (<2,500 square feet gross floor area)	P	P	P	P	P	P	
d. Libraries (>2,500 square feet gross floor area)	X	C	X	C	P	P	
e. Vocational schools	X	X	X	C	P	P	
f. Artistic studios and schools including but not limited to dance, music and martial arts (<5,000 square feet)	P	P	P	P	P	P	
g. Artistic studios and schools including but not limited to dance, music and martial arts (>5,000 square feet)	X	X	X	P	P	P	
h. Public parks, parkways, recreation facilities, trails and related facilities	P	P	P	P	P	P	
i. Public educational institutions	C ¹	C ¹	C	C	C	C	
15. Services--Membership Organizations.							
a. Business, professional and religious (not including churches)	X	X	X	P	P	P	
b. Civic, social, fraternal, charitable, labor and political (less than 5,000 square feet)	P	P	X	P	P	P	
c. Civic, social, fraternal, charitable, labor and political (greater than 5,000 square feet)	C ¹	C ¹	X	P	P	P	
d. Churches	C ¹	C ¹	C	P	P	P	
16. Distribution Facilities. (In conjunction with a permitted use, all activities, except vehicle storage, located entirely within an enclosed building)							

Table 40.230.010-1. Uses							
	CR-1	CR-2	C-2	C-3	CL	CH	Special Standards
a. Distribution facilities of less than 25,000 square feet gross floor area	X	X	X	X	P	P	
b. Distribution facilities of between 50,000 and 25,000 square feet gross floor area	X	X	X	X	X	P	
17. Public Services and Facilities.							
a. Buildings entirely dedicated to public services, such as city hall, police and fire substations	C ¹	C ¹	C	C	C	C	
b. Sewer, water and utility transmission lines	P	P	P	P	P	P	40.260.240
c. Wireless communications facilities	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	P/C ⁶	40.260.250
d. Zoos, museums, historic and cultural exhibits and the like	C ¹	C ¹	X	C	C	C	
e. U.S. Post Offices	P	P	P	P	P	P	
f. Public transit facilities including park and ride facilities	P	P	P	P	P	P	
18. Resource Activities.							
a. Agriculture	P	P	P	P	P	P	40.260.040
b. Silviculture	P	P	P	P	P	P	40.260.080
19. Accessory Uses and Activities.							
a. On-site hazardous waste treatment and storage facilities, subject to State Siting Criteria (RCW 70.105.210).	P	P	P	P	P	P	
b. Drive-through, drive-in or drive-up facilities	X	R/A ¹	X	R/A	R/A	P	
c. Open Air Activities							
(1) Open air display of plants and produce in conjunction with a permitted use ²	P	P	P	P	P	P	
(2) Open air storage of materials ³	X	X	X	X	X	P	
(3) Open air work activities such as restaurants, portable walk-up vendors (not including drive-through facilities) such as espresso carts, flower stands and food stands, plant nurseries and other uses generally conducted outside in conjunction with a permitted commercial use, unless otherwise prohibited by this title ⁴	P	P	P	P	P	P	
(4) Open air storage of company vehicles, such as cars and light duty trucks, in conjunction with a permitted use ⁵	X	X	X	X	X	P	
20. Other Uses							
a. Temporary uses	P	P	P	P	P	P	40.260.220
b. Private use heliports	X	X	X	C	C	C	40.260.170
c. Solid waste handling and disposal sites	C ¹	C ¹	C	C	C	C	40.260.200

¹ In addition to the requirements of Sections 40.520.020 or 40.520.030, the applicant shall submit detailed information that permits the review authority to make findings that:

- The proposed use will support the natural resource activities and/or the needs of the rural community;
- The proposed use is limited in size to serve primarily the surrounding rural community and does not require or create the need for urban levels of service for water, sewer and transportation; and

c. *The proposed use is primarily for convenience and service needs necessary to support natural resource activities and/or the rural community and will not cause adverse impacts on surrounding natural resource activities.*

² *These areas must be identified and approved on the site plan.*

³ *Such areas must be located behind buildings or to the rear of the site and away from street frontages and fully screened with landscaping to the L-4 standard.*

⁴ *These uses are permitted to occupy up to ten percent (10%) of the total floor area of the development or building. Open air sale of vehicles and manufactured homes are not subject to this requirement, where permitted. This is not intended to prohibit temporary outside sales of a limited duration (less than two (2) weeks total per year) when in conjunction with a permitted use.*

⁵ *Vehicle storage areas shall be located behind buildings or to the rear of the site. Landscaping standards in excess of site plan review standards may be required in order to properly screen adjoining residential lands.*

⁶ *See Table 40.260.250-1.*

D. Development standards

1. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for lots and building height, and setbacks in Tables 40.230.010-2 and 40.230.010-3, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.010-2. Lot Requirements			
Zoning District	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
CR-1	None	None	None
CR-2	None	None	None
C-2	None	None	None
C-3	None	None	None
CL	None	None	None
CH	None	None	None

Table 40.230.010-3. Setbacks, Lot Coverage and Building Height					
	CR-1, CR-2	C-2	C-3	CL	CH
Minimum setbacks	Pursuant to buffering and screening standards contained in Chapter 40.320, Table 40.320.010-1				
Minimum setbacks adjacent to residential district	Pursuant to the screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, plus an additional 1/2 foot for each foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet. Buildings in excess of 20 feet may be stepped.				
Maximum lot coverage	Maximum determined by compliance with screening and buffering standards contained in Chapter 40.320, Table 40.320.010-1, the Stormwater and Erosion Control Ordinance (Chapter 40.380, and all other applicable standards.				
Maximum building height	None				

2. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.
3. Off-street parking and loading. Off-street parking and loading shall be provided as required in Chapter 40.340.

4. Landscaping. Not less than fifteen percent (15%) of the total lot area shall be landscaped. Pedestrian plazas, sidewalks over the minimum width and other pedestrian amenities may be used to meet the required landscaping at a one to one (1:1) ratio.
 5. Site plan review standards. In addition to the site plan approval criteria contained in Section 40.520.020(E), the following shall apply to all development within the commercial district unless expressly exempted. The responsible official may modify these standards for the expansion of existing uses for site-specific issues:
 - a. Primary pedestrian circulation routes connecting the street(s) to building(s) shall be a minimum of eight (8) feet in width and be landscaped with a minimum of three- (3) foot wide area on one side of the walk with suitable tree species planted every twenty-four (24) feet to provide for a continuous tree canopy. Buffer strip should also function as a buffer between auto drives and the pedestrian routes.
 - b. Landscaping is required along the front of all buildings. Minimum requirements shall be trees, of a suitable species according to Section 40.320.010, provide every thirty (30) feet on center planted in a landscaped strip or tree wells along the length of the building.
 - c. Landscape buffers required by Section 40.320.010 shall not apply between pad development sites and the remainder of the development site.
 - d. Landscaping required between commercial developments may be altered where parking lots are adjoining as follows: a single, shared five- (5) foot buffer instead of five (5) feet for each development provided that joint access is provided between parcels for auto and pedestrian access and trees are planted every twenty (20) feet on center along the length of the buffer.
- E. Design guidelines. The guidelines in Appendix A are intended to implement the goals and policies of the comprehensive plan and the purpose of the commercial zoning districts. These guidelines are not a mandatory requirement and are intended to be used in conjunction with the requirements of this section. The guidelines are general in their nature in order to encourage unique and innovative site design solutions from the applicant and to provide a varied landscape in the county. In order to encourage the implementation and use of aspects contained within these guidelines, site plan approval criteria in 40.520.040(E) may be modified or waived according to 40.520.040(E)(1)(d). Although not required for all development these guidelines may be recognized as adequate mitigation measures in specific circumstances.

40.230.020 MIXED USE DISTRICT (MX)

- A. Purpose. The Mixed Use (MX) district is intended to provide the community with a mix of mutually-supporting retail, service, office and residential uses. It promotes physically and functionally coordinated and cohesive site planning and design which maximizes land use. It also encourages development of a high-density, active, urban environment which is expected to:
1. Achieve the goals and objectives of the community framework plan and the comprehensive plan;
 2. Fulfill the community vision identified through the visual preference survey and other opportunities for public involvement;
 3. Enhance livability, environmental quality and economic vitality;
 4. Maximize efficient use of public facilities and services;
 5. Provide a variety of housing types and densities;
 6. Reduce the number of automobile trips and encourage alternative modes of transportation; and
 7. Create a safe, attractive and convenient environment for living, working, recreating and traveling.
- B. Applicability.
1. General. The provisions of this section may be applied to parcels designated mixed use on the comprehensive plan map, after a request for the parcel to be zoned mixed use is approved.
 2. Interpretation. If the requirements of the mixed use district conflict with other regulations, the more stringent of the two shall apply.
- C. Definitions. For the purposes of this section, the following definitions shall apply:
1. "Mixed-use development" shall mean a group of densely-configured structures planned and developed as a single entity and containing within and/or among them a variety of complementary, integrated, and/or mutually supporting uses (such as housing, offices, manufacturing, retail, public service or entertainment). The group as a whole must achieve physical and functional integration.
 2. "Mixed-use structure" shall mean a single structure containing at least two (2) complementary, integrated, and/or mutually supporting uses (such as housing, offices, manufacturing, retail, public service or entertainment). The structure must achieve physical and functional integration within itself.
 3. "Master plan" shall mean a comprehensive, long-range site plan for a development project. The project may be located on a single parcel or on several contiguous parcels which are owned by one (1) or more parties and is usually implemented in phases.
- D. Uses.
1. Those uses which are permitted, conditional and prohibited in the C-3 (community commercial) district are permitted, conditional and prohibited in this district (see Table 40.230.010-1 (2) through (20)). Residential uses are permitted so long as the minimum required densities are met.
 2. Required mix of uses.
 - a. A mix of uses, either within a single building or on a development site, must be provided, except as noted in subsection (b) of this section. Residential floor area must be provided, but is not permitted on the ground floor of mixed-use structures. A minimum of thirty percent (30%) of the development shall be commercial or a minimum of thirty percent (30%) of the development shall be residential. The remaining development capability may go to either use up to a maximum of seventy percent (70%) for any one type. This percentage shall be calculated in the square feet devoted to each type of use. In addition the minimum densities in Section 40.230.020(E) below are required.
 - b. Projects located on existing lots of record of five thousand (5,000) square feet or less may develop with no required mix of uses. They are required to meet the minimum density of whichever use is proposed.
- E. Development standards. Standards for development in the mixed use district are intended to achieve a human-scale, pedestrian- and transit-oriented environment.
1. Densities.
 - a. Commercial.
 - (1) A minimum floor area ratio (FAR) of .5:1 or a total of .50 square feet gross area per one (1) square foot of site area is required.
 - (2) The maximum floor area ratio (FAR) shall be three to one (3:1) or three (3) square feet gross floor area per one (1) square foot of site area.

b. Residential.

- (1) A minimum average density of twelve (12) dwelling units per gross acre is required. This is calculated by averaging the densities of all of the different types of housing provided within the development.
 - (2) The maximum average density shall be an average of thirty (30) dwelling units per gross acre. This is calculated by averaging the densities of all of the different types of housing provided within the development.
2. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for sites, lots and building height, and setbacks in Tables 40.230.020-1 and 40.230.020-2, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.020-1. Lot Requirements

Zoning District	Lot Area (sq. ft.)		Lot Width (feet)		Lot Depth (feet)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
MX	2,500	None	20	None	90	None

Table 40.230.020-2. Setbacks, Lot Coverage and Building Height

Setbacks				Maximum Lot Coverage	Minimum and Maximum Building Height (feet)
Setback	Additional Setback based on Proposed Building Height	Minimum	Maximum (from Street Frontage)		
Front	NA	10	20, 35 ¹	85%	10 – 72 ²
Side	NA	10	20, 35 ¹		
Rear	NA	10	20, 35 ¹		
Development which abuts a single-family residential district shall also be required to meet the following setbacks from the side or rear lot line of a residential lot					
Rear and Side	Proposed building height: 15 feet or less	5	NA		
	Proposed building height: 16 to 30 feet	8	NA		
	Proposed building height: 31 to 45 feet	11	NA		
	Proposed building height: 45 feet or more	14	NA		

¹ *Maximum Setback Requirements. The maximum setback of a building from the street frontage shall be twenty (20) feet, excluding any recesses for building entries serving residential units, except that a maximum setback of thirty-five (35) feet is permitted for up to fifty percent (50%) of the primary building façade only if the following criteria are met:*

- a. *A public plaza, courtyard, artwork, kiosk or information center or transit stop and shelter of at least fifteen (15) feet in depth is provided along the street frontage between the public right-of-way and the building on at least one (1) street frontage; and*
- b. *Parking is not provided between the public right-of-way and the building.*

² *All ground floor units shall have a minimum structural ceiling height of ten (10) feet and the maximum building height shall be seventy-two (72) feet. Maximum building height does not include buildings or structures such as steeples, chimneys, flagpoles, electronic aerial, cupolas, or other features such as roof gardens, mechanical equipment, or solar panels.*

3. Landscaping and Open Storage.
 - a. Landscaping.
 - (1) At least fifteen percent (15%) of the square footage of the site must be landscaped.
 - (2) All mixed-use developments shall meet the landscaping requirements set forth in Chapter 40.320, Landscaping and Screening.
 - (3) Street trees shall be planted on all street frontages and within all median planting strips within the mixed use zoning district. In addition, street trees shall be placed a minimum of two (2) feet from the curb and shall be species-approved by the reviewing authority.
 - (4) Only under the following conditions may freestanding walls, fences and hedges be permitted along public streets or sidewalks:
 - (a) The maximum height of any solid wall, fence, or hedge shall be four (4) feet, unless a solid masonry or concrete wall higher than four (4) feet is required to mitigate significant noise impacts.
 - (b) The maximum height of any decorative wall, fence, or hedge which allows visibility, such as wrought iron and split rail fences, shall be six (6) feet.
 - (c) Openings or gates operable from both sides must be provided at intervals of no more than one hundred (100) feet.
 - (d) Barbed wire, razor wire, electric and other dangerous fences are prohibited.
 - b. Open Storage. Open storage is prohibited. Long-term parking of operational company cars, light trucks and vans within parking lots shall not be construed to be open storage.
4. Conversion of Existing Structures. An existing residential structure may be converted to a commercial or office use if the structure is brought into conformance with the building code for such uses and all site plan review standards can be met, with the exception of setbacks of existing buildings.
5. Off-street parking. Off-street parking shall be provided at a rate of between seventy-five percent (75%) and one hundred twenty-five percent (125%) of the number of spaces required for the use per Chapter 40.340. A minimum of two (2) off-street parking spaces is required. Shared or joint use of parking areas shall be permitted in accordance with Section 40.340.010(A)(5).
6. Outdoor Business Activities. Outdoor business activities are permitted in the public right-of-way only if additional public sidewalk is provided greater than the required width. No business activities are allowed within the minimum required width. If additional sidewalk width is provided, the applicant may provide outside space of up to five percent (5%) of the total inside floor area devoted to that use.
7. Signs. The requirements of Chapter 40.310 applicable to the multifamily districts must be met.
8. Parking and Loading. Off-street parking shall be provided in accordance with Chapter 40.340 with the following stipulations:
 - a. The maximum number of parking spaces to be provided is limited to one hundred twenty-five percent (125%) of that required. On-street parking spaces abutting a site and available to a development shall be counted toward the maximum. Parking spaces provided through the shared parking provisions below shall be counted toward the maximum as well.
 - b. Shared parking between and among uses is encouraged, and shall be permitted in accordance with Section 40.340.010(A)(5).
 - c. Parking shall not be provided between the right-of-way and any building facade.
 - d. Parking lot landscaping shall be provided in accordance with Chapter 40.320. Landscaping shall not be required for parking structures; neither shall it be prohibited.
 - e. The ground floor of parking structures should incorporate retail uses.
9. Building Orientation. The building entrance shall be oriented to the major street on which the building has frontage, a street corner, plaza, park, or other buildings on the site, but not to interior blocks or parking lots. The building may have other entrances as long as direct pedestrian access is provided to all entrances.
10. Pedestrian Access.
 - a. An on-site pedestrian circulation system that links the street and the primary entrance(s) of the structure(s) on the site shall be provided. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjoining developments if adequate safety and security can be maintained. Convenient pedestrian access to transit stops shall be provided.
 - b. Sidewalks shall be required and constructed according to the county's road standards.
 - c. The circulation system must be hard-surfaced and be at least five (5) feet wide.

- d. Where the system crosses driveways, parking areas and loading areas, it must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method approved by the reviewing authority. Striping may be permitted only in conjunction with at least one (1) of the preceding methods.
 - e. Lighting for parking lots and pedestrian ways shall be provided to ensure personal safety. Lighting shall be integrated into the architectural character both in terms of illumination and fixtures. Lighting shall not produce glare or negatively impact off-site uses or traffic on adjacent streets.
11. Frontage. To discourage parking between the front of the building and the street and encourage parking to the side and rear of buildings, no more than twenty-five percent (25%) of the distance from property line to property line of that portion of a parcel facing a dedicated public street, highway or county-approved street or private street may be consumed by surface parking.
12. Building Facades.
- a. Blank walls are not permitted on any street frontage, including walls facing controlled access highways and freeways.
 - b. An unbroken series of garage doors is not permitted on any street frontage, including walls facing controlled access highways and freeways.
 - c. Visual separation of commercial ground floors and residential upper floors shall be provided for visual interest and to provide a human scale for those utilizing the ground floors. This may be accomplished by the use of varied textural materials, awnings, overhangs, fascia treatment or other such methods.
 - d. At least seventy-five percent (75%) of the width and fifty percent (50%) of the ground level wall area (total width by nine (9) feet above grade) of any new or reconstructed building facing a public street or pedestrian way shall be devoted to interest-creating features such as pedestrian entrances, reliefs, murals, landscaping, transparent show or display windows, or windows affording views into retail, office or lobby spaces.
 - e. Single and multifamily dwellings must be designed so that the front door entrance of each dwelling is closer to the street than the garage door. Garages may be sited in several acceptable ways: (1) in the rear and accessed from an alley; (2) in the rear and accessed from a side drive; or (3) on the side and accessed from a side drive.
 - f. The building façade requirements above will not apply where they are in conflict with the design or character of architecture of existing buildings on the National Register of Historic Places Buildings or Structures, or listed in the Washington State Inventory of Historical Sites and Buildings, or designated by the Clark County Historic Preservation Commission or the board as a building site or structure of historical, architectural or cultural significance or merit, or as a historical or architectural landmark.
 - g. The building façade requirements above will not apply where they are in conflict with the requirements, standards or design guidelines applicable to new or existing buildings in a designated conservation area.
13. Adjustments to development standards. The following development standards may be adjusted as indicated through the master planning process:
- a. The minimum front, rear and side setbacks may be reduced to as little as zero (0) feet.
 - b. The special maximum setback of thirty-five (35) feet provided in Table 40.230.020-2 may be increased by up to ten percent (10%) and the percentage of the building façade this setback may apply to may be increased to sixty-five percent (65%).
 - c. The setbacks from a residential district required by Table 40.230.020-2 may be varied by up to ten percent (10%).

F. Incentives.

- 1. For applicants who wish to apply the provisions of this section to a parcel or parcels designated as mixed use on the comprehensive plan map and who agree to undertake the master planning application process, only the higher of the two (2) application fees will be charged.
- 2. An increase in maximum densities for office/commercial floor area ratios may be granted when an area equivalent to at least ten percent (10%) of the total area of the structure's first floor is devoted to amenities such as a plaza courtyard, playground, galleria or arcade or underground parking facilities. Floor area ratio may increase to no more than four (4) square feet per square foot of site area.
- 3. A ten percent (10%) increase in commercial floor area may be granted if a pedestrian accessible corner entrance is provided which is oriented to one or more transit streets.

4. Traffic Impact Fee (TIF) Reduction. A reduction of the TIF may be granted pursuant to this section with the implementation and maintenance of the corresponding action in Table 40.230.020-3 on approval of the responsible official.

Table 40.230.020-3. Incentives	
Action	TIF Reduction
Construction of direct walkway connection to the nearest arterial	1%
Installation of on-site sheltered bus-stop (with current or planned service) or bus stop within ¼ mile of site with adequate walkways if approved by C-TRAN	1%
Installation of bike lockers	1%
Connection to existing or future regional bike trail	1%
Direct walk/bikeway connection to destination activity (such as a commercial/retail facility, park, school, etc.) if residential development, or to origin activity (such as a residential area) if commercial/retail facility	1% if existing 2% if constructed
Installation of parking spaces which will become paid parking (by resident or employee) ¹	3%
Installation of preferential carpool/vanpool parking facilities ¹	1%
Total if all strategies were implemented	10%
¹ Automatic reduction for developing within the mixed use district.	

- G. Master planning. Any nonresidential development greater than five (5) acres in size with two (2) or more building pads totaling one hundred fifty thousand (150,000) square feet shall meet the requirements of the master planning section of this title. The applicant shall be required to submit a master development plan which must be approved by the review authority. The master development plan shall consist of both a concept plan which shows the location and distribution of land uses and related facilities and a development plan which deals with site specific issues.
 1. Intent. The purpose of the master development plan is to:
 - a. Assure that the proposed development is considered as a whole and conforms to the comprehensive plan and the requirements of this title. The master plan may serve to allow flexibility of uses and development standards. Any other reviews needed for the development review process, such as conditional uses, plan amendments or zone changes may be considered at the same time as the master plan; and,
 - b. Assure that phased development is properly coordinated.
 - c. A master plan may also serve to allow phasing of projects and flexibility of uses. Master plans shall be reviewed through a Type II procedure unless a public hearing is required, in which case a Type III procedure shall be used.
 2. Components of a Master Development Plan. The applicant must submit a master plan with the following components. The review authority may modify the proposal, especially those portions dealing with development standards and review procedures. The greater the level of detail in the plan, the less need for extensive reviews of subsequent phases. Conversely, the more general the details, the greater the level of review that will be required for subsequent phases.
 - a. Boundaries of the Site. The master plan must show the current and potential future boundaries of the site for the duration of the master plan.
 - b. General Statement. The master plan must include a narrative that addresses a description in general terms of the use and site as well as expansion plans for the duration of the master plan.
 - c. Uses and Functions. The master plan must include a description of present uses, affiliated uses, proposed uses and potential future uses. The description must include information about the general amount and type of functions of the use, the hours of operation and the approximate number of members, employees, visitors and special events. For projects which include residential units, proposed minimum and maximum floor areas and densities, number of units and building heights must be indicated. For office/commercial projects or mixed use, minimum and maximum floor area ratios must be indicated.

- d. **Site Plan.** The master plan must include a site plan, showing, at the appropriate level of detail, buildings and other structures, existing mature trees and landscaping, the pedestrian and vehicle circulation system, parking areas, open areas, and other required items. This information must cover the following:
 - (1) All existing improvements that will remain after development of the proposed use(s);
 - (2) All improvements planned in conjunction with the proposed use(s);
 - (3) Conceptual plans for potential future uses; and,
 - (4) General locations of usable open space, any land proposed to be dedicated for open space, pedestrian and transit connection between the site and public or private streets serving the development and connecting to off-site open space, internal circulation (both auto and pedestrian), and location of proposed gates and fencing.
 - e. **Development Standards.** The applicant may propose standards that will control development of the future uses that are in addition to or substitute for the requirements of this title. These may be such things as height limits, setbacks, frontage, FAR limits, landscaping requirements, parking requirements, signage, view corridors or façade treatment. Standards more liberal than those of the existing land use codes require an adjustment.
 - f. **Phasing of Development.** The master plan must include the proposed development phases, probable sequence of future phases, estimated dates and interim uses of the property awaiting development. In addition, the plan should address any proposed temporary uses or locations of uses during construction periods.
 - g. **Transportation and Parking.** The master plan must include information on the following items for each phase:
 - (1) **Projected Transportation Impacts.** This includes the expected number of trips (peak and daily), an analysis of the impact of those trips on the adjacent street system, and the proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs to reduce traffic impacts, such as encouraging the use of public transit, carpool, vanpools and other alternatives to single occupancy vehicles. A transportation impact study may be substituted for these requirements.
 - (2) **Proposed Parking Impacts.** This information includes: projected peak-hour parking demand, an analysis of this demand compared to proposed on-site and off-site parking supply, potential impacts to the on-street parking system and adjacent land uses and mitigation measures.
3. **Procedures.**
- a. Master plan pre-application meetings are required pursuant to Chapter 40.510 prior to commencing a conceptual master plan.
 - b. The master plan review shall be processed in accordance with the procedures of a Type III land use review pursuant to Section 40.510.030.
 - c. Site plan review pre-application conferences are still required prior to submission of a site plan review approval request, in addition to the master plan pre-application meeting. Site plan review conferences are required for each phase of development, based on specific development/building plans.
 - d. Any approved master plan shall be given priority, based upon an established first come, first served list of other master planned projects, for expedited site plan review. The standards for such expedited site plan review shall be established by the responsible official.
 - e. Any modifications, additions or changes to an approved master plan are subject to the following:
 - (1) Minor changes as defined in this title shall be reviewed and a determination made by the responsible official.
 - (2) Major changes shall be subject to the original procedural application type, subject to fees in effect at the time of the change request application.
 - f. Projects approved as part of a master plan do not require an additional public hearing on a project specific basis so long as the original master plan is followed.

40.230.030 OFFICE CAMPUS DISTRICT (OC)

A. Purpose. The Office Campus (OC) district provides for business and professional services, research and development, limited light manufacturing and wholesale trade, and corporate offices along with accessory commercial uses. This district shall be pedestrian and transit oriented while at the same time providing adequate auto facilities. The regulations in this chapter are intended to minimize the presence of nuisance factors and hazards. The application of this district should not result in a predominance of commercial uses in an area designated for noncommercial activities by the comprehensive plan.

B. Uses. The uses set out in Table 40.230.030-1 are examples of uses allowable in this zone district. The appropriate review authority is mandatory.

"P" Uses allowed subject to approval of applicable permits.

"R/A" Uses permitted upon Review and Approval as set forth in Section 40.520.020.

"C" Conditional uses which may be permitted subject to the approval of a Conditional Use Permit as set forth in Section 40.520.030.

"X" Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Special Uses (Chapter 40.260) or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.030-1. Uses		
	OC	Special Standards
1. Residential.		
a. Existing residences with no increase in density	P	
b. Home occupations	R/A	40.260.100
c. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	40.260.050
d. Bed and breakfast establishments (3 or more guest bedrooms)	C	40.260.050
e. Temporary dwellings	P	40.260.210
2. Retail Sales—Food.		
a. Bakery—manufacturing where goods baked on-site are sold on-premises with a floor area under five thousand (5,000) square feet	P ¹	
3. Retail Sales—General.		
a. Office supplies, books, stationary	P ¹	
b. Florists	P ¹	
c. News and magazine dealers	P ¹	
4. Retail Sales—Restaurants, Drinking Places.		
a. Delis, cafes, restaurants	P ¹	
b. Drinking establishments	P ¹	
5. Services—Personal.		
a. Barber and beauty shops	P ¹	
6. Services—Amusement.		
a. Athletic-health clubs	P ¹	
7. Services—General.		
a. Banks and credit unions - Where outside customers physically conduct transactions.	P ¹	
b. Shoe repair shops	P ¹	
c. Travel services	P ¹	
8. Services—Lodging Places.		
a. Lodging	P ¹	
9. Services—Medical and Health.		
a. Medical, dental services	P	

Table 40.230.030-1. Uses		
	OC	Special Standards
10. Services—Professional Office.		
a. Finance, insurance, real estate	P	
b. Stenographic, clerical	P	
c. Employment services	P	
d. Data processing, computer services	P	
e. Corporate headquarters	P	
f. Research and development	P	
g. Legal	P	
h. Engineering, consulting, planning	P	
i. Architectural	P	
11. Services—Educational.		
a. Child care and adult care services	P ¹	
12. Light Manufacturing –Warehousing.		
a. Printing, publishing, allied products	P ²	
b. Signs, advertising display	P ²	
c. Office machine equipment	P ²	
d. Instruments--scientific, photographic, control	P ²	
e. Electronics	P ²	
f. Software, computers	P ²	
13. Accessory Uses and Activities.		
a. On-site hazardous waste treatment and storage facilities, subject to State Siting Criteria (RCW 70.105.210).	P	
b. Caretaker, security or manager residence when incorporated as an integral part of a permitted use.	P	
14. Other Uses.		
a. Exclusively or predominantly drive-through facilities	X	
b. Utilities, other than wireless communications facilities	P	40.260.240
c. Wireless communications facilities	P/C ³	40.260.250
d. Solid waste handling and disposal sites	C	40.260.200
e. Temporary uses	P	40.260.220

¹ The commercial use is only allowed as an accessory to office or manufacturing building uses.

Commercial retail uses can occupy no more than fifteen percent (15%) of the total floor area of the development or building, except as provided by through the commercial retail bonus standards below.

² The light manufacturing uses allowed in this zone shall be compatible with the office uses that are the focus of this zone. Uses that produce nuisance factors, such as noise, heat, light, glare and odor, outside of the space in which they are located are not acceptable in this district. All uses must meet the performance standards section of this code.

³ See Table 40.260.250-1.

- C. Commercial retail bonus in OC district. Additional floor area beyond fifteen percent (15%) of total may be devoted to commercial uses if the following conditions are met. Density bonuses are expressed as a percentage of total floor area of the development or building:
1. All required parking is contained within the building or parking structure associated with the development: 2.5% bonus.
 2. The entrances to the building are oriented to a transit stop: 2.5% bonus.
 3. Child care facilities are provided within the development: 2.5% bonus.

4. Any six (6) of the following enhanced pedestrian spaces and amenities are provided: plazas, arcades, galleries, courtyards, outdoor cafes, widened sidewalks (more than six (6) feet wide outside of public right-of-way), benches, shelters, street furniture, public art or kiosks: 2.5% bonus.

D. Development standards

1. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for sites, lots and building height, and setbacks in Tables 40.230.030-2 and 40.230.030-3, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.030-2. Site and Lot Requirements				
Zoning District	Site or Lot	Minimum Area	Minimum Width (feet)	Minimum Depth (feet)
OC	Site	5 acres	None	None
	Lot	20,000 square feet ¹	100	100

¹ For new office campus subdivisions.

Table 40.230.030-3. Setbacks, Lot Coverage and Building Height							
Zoning District	Site or Lot	Setbacks				Maximum Lot Coverage	Maximum Building Height (feet)
		Front		Side (feet)	Rear (feet)		
		Minimum (feet)	Maximum (feet)				
OC	Site	25 ¹	None	25 ¹	25 ¹	50%	72 ²
	Lot	15	75	None	None	None	

¹ Setback from site boundary lines.

² Excluding unique architectural features such as towers, cupolas, and peaked roofs.

2. Fences. Fencing is permitted outside of a boundary line where it is necessary to protect property of the industry or the business concerned. No sight-obscuring fence shall be constructed abutting a major arterial or other public right-of-way in excess of four (4) feet in height within the perimeter setbacks. Any chain link or other wire fencing must be screened with green growing plant materials or contain slats.
3. Site landscaping and design plan. Development within this zoning district shall be subject to site plan review pursuant to Section 40.520.040, prior to the issuance of a building permit; which review may be conducted concurrent with the processing of building permits. In addition to the requirements of Section 40.520.040, the following requirements shall apply:
 - b. Blank walls are discouraged next to residential zones. If a blank wall is adjacent to residential zones the applicant shall provide and maintain a vegetative buffer of at least eleven (11) feet high that creates a varied appearance to the blank wall. Other features such as false or display windows, artwork, and varied building materials are acceptable.
 - c. Building facades facing public streets shall have fifty percent (50%) of the total surface area of the wall transparent.
 - d. Parking areas adjacent to rights-of-way shall be physically separated from the rights-of-way by landscaping or other features to a height of three (3) feet. A combination of walls, berms and landscape materials is highly recommended. Sidewalks may be placed within this landscaping if the street is defined as a collector or arterial with a speed limit of thirty-five (35) mph or above, in order to separate the pedestrian from heavy or high speed traffic on adjacent roads.
 - e. Primary building entrances shall be physically oriented to the street or to a pedestrian walkway.

- f. If a development is located within two-hundred fifty (250) feet of an existing or proposed transit stop the applicant shall work with the transit agency in locating a transit stop and shelter directly adjacent or as close as possible to the main building entrance.
- g. All off-street parking areas shall be planted with a minimum of one (1) deciduous tree for every six (6) parking spaces. Trees shall be of such species and spacing that a canopy effect shall result. Trees must be dispersed throughout the parking lot.
- h. Required setback areas adjacent to streets and those abutting a residential district shall be continuously maintained in lawn or live ground- cover. Allowed uses in these areas are bikeways, pedestrian paths and water quality facilities.
- i. A minimum of twenty percent (20%) of the site shall be landscaped. Vegetated stormwater treatment facilities and pedestrian plazas may be used to satisfy the requirement.
 - (1) To qualify as a pedestrian plaza the following conditions must be met:
 - (a) Minimum Size. A minimum of ten (10) feet depth and width with a minimum size of six-hundred fifty (650) square feet.
 - (b) Paving. A minimum of eighty percent (80%) of the area shall be paved in a decorative paver or textured, colored concrete. Asphalt is prohibited as a paver in pedestrian plazas.
- j. Structures and open spaces should be clustered on-site to maximize the campus and open space qualities within the development.
- k. When security fencing is required it shall be a combination of solid wall, wrought iron, dense hedges or other similar treatment. Long expanses of fences or walls shall be intersperse with trees or hedges to break up the appearance of the wall at least every fifty (50) feet for a distance of at least five (5) feet.
- 4. Pedestrian access plan. An on-site pedestrian circulation system must be provided, which connects the street to the public entrances of the structure(s) on site.
 - a. The circulation system shall be hard surfaced and be at least five (5) feet wide.
 - b. Where the system crosses driveways, parking, and/or loading areas, the system must be clearly identifiable through the use of elevation changes, speed bumps, varied paving materials or other similar methods approved by the reviewing authority and in compliance with the Americans with Disabilities Act (ADA).
 - c. The on-site pedestrian circulation system and parking areas must be lighted to a level which provides adequate lighting so that parking areas can be used safely when natural light is not present.
 - d. The pedestrian system must connect the site to adjacent streets and transit stops. The pedestrian system must also connect on-site public open space or parks, commercial, office and institutional developments to adjacent like uses and developments for all buildings set back forty-five (45) feet or farther from the street lot line, when existing development does not preclude such connection. Development patterns must not preclude eventual site-to-site connections, even if an adjoining site is not planned for development at the time of the applicant's development.
- 5. Performance standards. No land or structure shall be used or occupied within this district unless there is compliance with the following minimum performance standards:
 - a. Maximum permissible noise levels shall be as determined by WAC 173-60, as amended.
 - b. Vibration. Vibration other than that caused by highway vehicles, trains, and aircraft, which is discernible without instruments at the property line of the use concerned, is prohibited.
 - c. Smoke and Particulate Matter. Air emissions must be within legal limits as approved by the Southwest Clean Air Agency.
 - d. Odors. The emission of noxious gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating such odors is prohibited.
 - e. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be conducted entirely within an enclosed building. Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.
- 6. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.
- 7. Off-street parking and loading. Off-street parking shall be provided as required in Chapter 40.340.

40.230.040 BUSINESS PARK DISTRICT (BP)

- A. Purpose and applicability. The Business Park district (BP) provides for the development of uses including: limited light manufacturing and wholesale trade, light warehousing, business and professional services, research, business, and corporate offices and other similar compatible or supporting enterprises not oriented to the general public.
1. Development sites within the district may not be less than seven (7) acres in size and shall provide a park-like setting with uses subject to high development and operational standards.
 2. The districts are devoid of nuisance factors, hazards, and potentially high parking or public facility demands.
 3. This zone may be applied to areas designated for industrial, commercial, or urban high density residential by the comprehensive plan (refer to Section 40.230.040(A)(6)).
 4. The application of this district should not result in a predominance of industrial uses within an area designated for non-industrial activities by the plan.
 5. There should be no significant variance in the character of the area from the underlying comprehensive plan designation.
 6. When a business park (BP) district is applied to areas designated as urban high density on the comprehensive plan map, all of the following conditions shall be determined to be present by the responsible official:
 - a. Not more than fifty percent (50%) of land within an area shown as high density on the comprehensive plan shall be zoned for business park.
 - b. The site proposed for BP is in close proximity to industrial areas.
 - c. The site proposed for BP is at or near the intersection of two major arterials as designated by the comprehensive plan.
- B. Uses. The uses set out in Table 40.230.040-1 are examples of uses allowable in this zone district. The appropriate review authority is mandatory.
- "P" Uses allowed subject to approval of applicable permits.
- "R/A" Uses permitted upon Review and Approval as set forth in Section 40.520.020.
- "C" Conditional uses which may be permitted subject to the approval of a Conditional Use Permit as set forth in Section 40.520.030.
- "X" Uses specifically prohibited.
- Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Special Uses (Chapter 40.260) or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.040-1. Uses		
	BP	Special Standards
1. Retail Sales—Restaurants, Drinking Places.		
a. Restaurants	P ¹	
2. Retail Sales—Building Material and Farm Equipment.		
a. Bulk retail: lumber, building materials, paint, glass, heating, plumbing, electrical supplies	C	
3. Services—Amusement.		
a. Athletic-health clubs	P	
b. Indoor theater	P	
c. Public and private park	P	
4. Services—General.		
a. Credit unions	P	
b. Rental services	P	
c. Building maintenance	P	
d. Office supplies – machines	P	
e. Computers, camera equipment, electronics equipment	P	

Table 40.230.040-1. Uses		
	BP	Special Standards
5. Services—Medical and Health.		
a. Medical, dental services	P	
6. Services—Professional Office.		
a. Finance, insurance, real estate	P	
b. Stenographic, clerical	P	
c. Employment services	P	
d. Data processing, computer services	P	
e. Research and development	P	
f. Legal	P	
g. Engineering, consulting, planning	P	
h. Architectural	P	
i. Duplicating, blueprints, printing	P	
7. Services—Educational.		
a. Public and private schools, including business and trade	P	
b. Preschool, commercial day care centers	C	40.260.160
8. Public Services and Facilities.		
a. Government services, inside storage and services	P	
b. Government services including outside storage	C	
c. Transit, bus, taxi terminals	C	
d. Railroad tracks, spur lines	C	
e. Truck terminals	C	
9. Light Manufacturing –Warehousing.		
a. Printing, publishing, allied products	P	
b. Signs, advertising display	P	
c. Office machine equipment	P	
d. Instruments—scientific, photographic, control	P	
e. Electronics	P	
f. Software, computers	P	
g. Fabricated metal products	P	
h. Light fabricated building components	P	
i. Warehousing, inside storage and services (excluding livestock)	P	
j. Plastics, rubber	P	
10. Manufacturing, Storage.		
a. Chemical, related products	C	
b. Transportation and parts	C	
11. Accessory Uses and Activities.		
a. On-site hazardous waste treatment and storage facilities, subject to State Siting Criteria (RCW 70.105.210).	P	
b. Security living quarters	C	
12. Other Uses		
a. Utilities, other than wireless communications facilities	P	40.260.240
b. Wireless communications facilities	P/C ²	40.260.250
c. Solid waste handling and disposal sites	C	40.260.200
d. Temporary uses	P	40.260.220

¹ Not located abutting the right-of-way, or within two hundred (200) feet of the centerline of public rights-of-way.

² See Table 40.260.250-1.

C. Development standards

1. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for sites, lots and building height, and setbacks in Tables 40.230.040-2 and 40.230.040-3, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.040-2. Site and Lot Requirements				
Zoning District	Site or Lot	Minimum Area	Minimum Width (feet)	Minimum Depth (feet)
BP	Site	7 acres	None	None
	Lot	6,000 square feet	None	None

Table 40.230.040-3. Setbacks, Lot Coverage and Building Height									
Zoning District	Site or Lot	Minimum Setbacks Abutting Residential			Minimum Setbacks Abutting Non-Residential			Maximum Lot Coverage	Maximum Building Height (feet)
		Front (feet)	Side (feet)	Rear (feet)	Front (feet)	Side (feet)	Rear (feet)		
BP	Site	75, 25 ¹	75 ¹ , 25	75 ¹ , 25	35	25	5	50%	35 ²
	Lot	35	None	None	35	None	None	None	

¹ The minimum site setback shall be seventy-five (75) feet for any lot line abutting a residential zone, unless berming and landscaping approved by the responsible official is provided which will effectively screen and buffer the business park activities from the residential district which it abuts; in which case, minimum setback may be twenty-five (25) feet.

² No structure shall exceed thirty-five (35) feet in height unless the responsible official finds that appropriate setbacks and/or screening of the site can maintain the character of the surrounding area.

2. Service Roads, Spur Tracks, Hard Stands, Outside Storage Area, Etc. No service road, spur track, hard stand, outside storage area, etc., shall be permitted within required setbacks adjoining residential districts.
3. Setbacks. No setbacks are required at points where side or rear lot lines abut a railroad right-of-way or spur tracks.
4. Fences, Walls, Hedges. Fencing will be allowed inside of a boundary planting screen where it is necessary to protect property of the industry or business concerned; or to protect the public from a dangerous condition; provided, that no fence is constructed in a required setback abutting public right-of-way.
5. Site landscaping and design plan. New development within the zoning district shall be subject to site plan review-pursuant to 40.520.040, prior to issuance of building permit; which review may be conducted concurrent with the processing of building permits. In addition to the requirements of Section 40.520.040, the following requirements shall apply:
 - a. All required landscaping shall be installed prior to occupancy, unless otherwise approved by the responsible official pursuant to Section 40.320.010(G).
 - b. Required rear and side setbacks abutting a residential district shall provide and maintain a dense evergreen buffer which attains a mature height of at least eleven (11) feet, or other screening measures as may be prescribed by the responsible official.
 - c. Required setbacks adjacent to streets and those abutting a residential district shall be continuously maintained in lawn or line ground cover, with such line ground cover and trees or shrubs established and maintained in a manner providing a park-like character to the property.

- d. Areas which are to be maintained in their natural setting shall be so designated on a landscape plan, and subject to the review and approval of the responsible official.
 - e. The outside storage of equipment or materials may be permitted only when contained by a site-obscuring fence or a landscaped screening not less than six (6) feet high. Outside storage shall not exceed the height of fencing or landscaping.
 - f. All mechanical heating and ventilating equipment shall be visually screened, as approved by the site plan review process.
- 6. Administration. As a condition for the granting of a building permit and/or site plan approval, at the request of the responsible official, information sufficient to determine the degree of compliance with the standards in this title, shall be furnished by the applicant. Such request may include submission of continuous records of operation for periodic checks to assure maintenance of standards, or special surveys.
 - 7. Performance standards. No land or structure shall be used or occupied within this district unless there is compliance with the following minimum performance standards:
 - a. Maximum permissible noise levels shall be as determined by WAC 173-60, as amended.
 - b. Vibration. Vibration other than that caused by highway vehicles, trains, and aircraft, which is discernible without instruments at the property line of the use concerned, is prohibited.
 - c. Smoke and Particulate Matter. Air emissions must be approved by the Southwest Clean Air Agency.
 - d. Odors. The emission of noxious gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating such odors is prohibited.
 - e. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be conducted entirely within an enclosed building. Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.
 - 8. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.
 - 9. Off-street parking and loading. Off-street parking shall be provided as required in Chapter 40.340.

40.230.050 UNIVERSITY DISTRICT (U)

A. Purpose. The University (U) district is intended to provide long-term opportunities for educational and related uses within the community. Such educational facilities enhance the identity and image of the community as a desirable place for human growth and development and provide opportunities and facilities for various activities and needs of a diverse and dynamic population. The purpose of this section is to allow such development to occur in a manner that does not adversely impact the community and provides and protects the natural and physical assets of the community. In addition, the purpose is to provide a timely but adequate review of such development and to create predictability for institutions of higher education in the planning process.

B. Uses. The uses set out in Table 40.230.050-1 are examples of uses allowable in this zone district. The appropriate review authority is mandatory.

"P" Uses allowed subject to approval of applicable permits.

"R/A" Uses permitted upon Review and Approval as set forth in Section 40.520.020.

"C" Conditional uses which may be permitted subject to the approval of a Conditional Use Permit as set forth in Section 40.520.030.

"X" Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Special Uses (Chapter 40.260) or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.050-1. Uses		
	U	Special Standards
1. Services – Educational.		
a. Universities and colleges, including public, parochial and private.	P	
b. Teaching facilities, including but not limited to classrooms, lecture halls, seminar rooms, teaching laboratories, and related support facilities.	P	
c. Offices for administration, faculty, staff, graduate students, student government, and clerical purposes with related support facilities.	P	
d. University information services, including but not limited to libraries, instructional media production, news and information centers, radio and television broadcasting facilities, bookstores, publication and printing services, and related information services.	P	
e. Research facilities, including but not limited to agricultural experiment stations, scientific research laboratories, joint public-private research facilities, medical research institutes, and related research activities. Research facilities may also include agricultural uses, normally associated with land grant universities, such as crop research plots, hay and pasture land, facilities for the care of wildlife and/or domestic livestock, and veterinary silence facilities.	P	
f. Services for the campus population including but not limited to medical clinics, child care centers, student union buildings, bookstores, counseling services, copy centers, career planning and placement centers, and related services. These services may include, but are not limited to services for the convenience of the campus population such as postal services, barber and beauty shops, food service, banking facilities, travel agencies, and similar establishments normally associated with a campus community.	P	
g. Facilities for spectator, cultural and sporting events including but not limited to performing arts centers, museums and outdoor amphitheaters.	P	
h. Recreational facilities for the campus population including but not limited to tennis courts, softball fields, athletic playfields, swimming pools and other indoor and outdoor sports facilities.	P	
i. Physical plant facilities for the operations and maintenance of the university.	P	

Table 40.230.050-1. Uses		
	U	Special Standards
j. Other supportive nonresidential uses which are determined by the responsible official to be customarily associated with, and appropriate, and incidental to the principal permitted uses and which are consistent with the mission of the institution.	P	
2. Other		
a. Any other uses included in an approved MDP.	P	
b. Buildings that exceed the height regulations in Table 40.230.050-3	C	
c. Utilities, other than wireless communications facilities	P	40.260.240
d. Wireless communications facilities	P/C ¹	40.260.250
e. Solid waste handling and disposal sites	C	40.260.200
f. Temporary uses	P	40.260.220

¹ See Table 40.260.250-1.

C. Development standards

1. New lots and structures and additions to structures subject to this chapter shall comply with the applicable standards for lots, building height, setbacks and building separation in Tables 40.230.050-2 and 40.230.050-3, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.050-2. Lot Requirements			
Zoning District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
University	None	None	None

Table 40.230.050-3. Setbacks, Lot Coverage and Building Height					
Zoning District	Minimum Setbacks			Maximum Lot Coverage	Maximum Building Height (feet)
	Front (feet)	Side (feet)	Rear (feet)		
University	20	10, 20 ¹	10, 20 ¹	50%	72 ²

¹ Setback shall be ten (10) feet unless the site is adjoins a residential district in which case the minimum setback shall be twenty (20) feet.

² No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed seventy-two (72) feet in height unless a conditional use permit is granted. Uninhabitable portions of a building, such as a spire, dome, lantern, clock tower, shall be allowed to exceed the height limit as provided for in Section 40.200.060.

2. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.

3. Off-street parking and loading.
 - a. Off-street parking shall be provided as required in Chapter 40.340. No off-street parking or loading area shall be allowed within twenty-five (25) feet of a property line, unless the responsible official finds that a buffer will exist that effectively screens the parking from an adjoining residential zone, in which case no off-street parking or loading area shall be allowed within ten (10) feet of an adjoining residential zone or public right-of-way or access easement.
 - b. All motor vehicle parking, maneuvering, and loading areas shall be paved. Other surfaces may be used for fire lanes as approved by the fire marshal and responsible official; provided, the alternative surface will accommodate emergency vehicle loads.
 - c. Bicycle and pedestrian paths shall be provided in accordance with the approved master plan. Such paths are allowed within the required setback areas.
4. Site plan approval. New development shall be subject to Section 40.520.040, Site Plan Approval, prior to issuance of a building permit. In addition to the requirements of Section 40.520.040, the following requirements shall apply to properties located within the U district:
 - a. Buildings and structures shall be sited to minimize to the extent possible the interruption of views from adjacent residential areas to any identified significant geographic feature, such as the Cascade Range.
 - b. Landscaping shall be provided that, at maturity, will adequately screen parking lots and vehicle loading and maneuvering areas from surrounding residences while not significantly obscuring views of identified significant geographic features, such as the Cascade Range.
 - c. Landscaping shall be of a type that has growth characteristics given conditions on the site to be effective at screening from the intended view shed within two (2) years of planting, although complete effectiveness may not occur for additional years. Minimum size for shrubs shall be six (6) feet within two (2) years of installation; minimum size for trees shall be twelve (12) feet within two (2) years of installation.
 - d. All required landscaping shall be installed prior to issuance of a certificate of occupancy, unless otherwise approved by the responsible official pursuant to Section 40.320.010(G). Landscaping shall be designated in phases in a reasonable manner to coincide with the phasing of the overall construction which may occur.
 - e. Areas which are to be maintained in their natural setting shall be so designated on a landscape plan, and subject to the review and approval of the responsible official.
 - f. Any mature trees which are lost as a result of new building construction shall be replaced with new plantings of equivalent long-term quality, and value based on the International Society of Arboriculture guidelines.
 - g. All mechanical heating and ventilating equipment shall be visually screened as required in Section 40.320.010(C)(5), as approved in the site plan review process.
 - h. Exterior lighting shall be installed to avoid disruption to abutting properties and to avoid traffic safety hazards as required in Section 40.320.010(C)(5), as approved in the site plan review process.
5. Performance standards. No land or structure shall be used or occupied within the U district unless there is compliance with the following minimum performance standards:
 - a. Noise. The maximum permissible noise levels shall be as determined by WAC 173-60, as amended.
 - b. Vibration. Vibration which is discernible without instruments at the property line of the use concerned is prohibited.
 - c. Smoke and Particulate Matter. Air emissions must be approved by the Southwest Clean Air Agency.
 - d. Odors. The emission of noxious gases or matter in such quantities as to be readily detectable at any point beyond the property line of the use creating such odors is prohibited.
 - e. Lighting. Exterior lighting shall be directed so as to not shine onto or significantly interfere with uses of abutting properties and to avoid traffic safety hazards.
 - f. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be conducted entirely within an enclosed building.
 - g. Storage, Handling, and Use of Hazardous Materials. The storage, handling and use of hazardous materials shall be in compliance with all applicable local, state and federal regulations. Changes in the use of hazardous materials shall be reported to the county fire marshal for review and approval.
 - h. Rooftop and Ground-Level Exterior Equipment. The provisions of Section 40.320.010 shall apply. The screening shall be incorporated into the design of the building.
 - i. Solid Waste. All uses within the U district shall establish and implement a recycling program to reduce the amount of material disposed of at landfills.

D. Special requirements.

1. Development on properties of five (5) acres or more within the U district shall not be undertaken without first obtaining approval of a Master Development Plan (MDP). The hearing examiner shall consider the MDP at a public hearing conducted pursuant to Section 40.510.030. The application will be reviewed as a Type III process.
2. In the case of a property that is less than five (5) acres or in the case of a reuse of an existing building, no MDP shall be required.
3. The MDP application shall include the following:
 - a. Vicinity map;
 - b. Site analysis including key natural features;
 - c. Site plan showing the proposed locations of buildings and related facilities;
 - d. General layout of streets, utilities, and drainage management measures;
 - e. Maps and/or narrative showing off-site improvements, if any, necessary to serve the proposed development;
 - f. Proposed phasing of development and the overall schedule of phasing;
 - g. Other information as determined by the responsible official.
4. The hearing examiner shall approve the proposed MDP or approve with conditions only if it is found that the plan and schedule satisfy the following:
 - a. Provide an overall general plan which is properly related to and preserves the natural features and resources on the site and vicinity;
 - b. Provide for land uses and intensities that are consistent with the comprehensive plan, this chapter, and with the planned capacity of public facilities;
 - c. Assure that the proposed development is considered as a whole and will conform to the comprehensive plan, the zoning standards, and all applicable county plans;
 - d. Assure that phased development is properly coordinated;
 - e. Do not significantly adversely impact the surrounding properties and uses.Projects for which an MDP or the equivalent have been reviewed as part of any other regulatory process for which a public hearing was required prior to January 1, 1995 shall be exempted from this requirement.
5. The responsible official shall have the authority to review and approve minor modifications to a previously reviewed MDP as a Type II process; provided, that the requirements of this section are satisfied. A minor change is one which does not change the overall land use concept and the project as a whole, does not substantially increase intensity of development, or does not materially affect the relationship of the development to adjacent land uses. Any other changes must be processed as a new application.

40.230.060 AIRPORT DISTRICT (A)

A. Purpose. The Airport (A) district is intended to recognize and protect those areas devoted to public use aviation, and which are designated on the comprehensive plan. It is also intended to provide areas for those activities supporting or dependent upon aircraft or air transportation, when such activities benefit from a location within or immediately adjacent to primary flight operations and passenger or cargo service facilities.

B. Uses. The uses set out in Table 40.230.060-1 are examples of uses allowable in this zone district. The appropriate review authority is mandatory.

"P" Uses allowed subject to approval of applicable permits.

"R/A" Uses permitted upon Review and Approval as set forth in Section 40.520.020.

"C" Conditional uses which may be permitted subject to the approval of a Conditional Use Permit as set forth in Section 40.520.030.

"X" Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Special Uses (Chapter 40.260) or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.060-1. Uses		
	A	Special Standards
1. Retail Sales—Restaurants, Drinking Places.		
a. Restaurants in urban growth areas.	C	
2. Services, Business		
a. Auto rental agencies in urban growth areas.	C	
b. Business activities which utilize air travel and transportation in their daily business activities in urban growth areas.	C	
3. Services—Amusement.		
a. Outdoor public entertainments, amusements and assemblies	R/A	Chapter 5.32 40.260.060
4. Services, Membership Organization		
a. Aviation clubs.	C	
5. Services—Educational.		
a. Air pilot training schools.	C	
6. Transportation and Distribution Facilities.		
a. Aerial mapping and surveying.	P	
b. Air cargo warehousing and distribution facilities.	C	
c. Helicopter pads.	P	
d. Repair, service and storage of aircraft.	P	
e. Service to commuter airlines.	C	
f. Taxi and bus terminals.	C	
g. Truck terminals in urban growth areas.	C	
h. Uses necessary for airport operation such as runways, hangars, fuel storage facilities, control towers, etc.	P	
7. Public Services and Facilities.		
a. In urban growth areas, government structures, including fire stations, libraries, museums, and post offices; but not including storage or repair yards, warehouses, or similar uses.	P	
8. Resource Activities		
a. Agricultural activities.	P	
9. Accessory Uses and Activities.		
a. On-site hazardous waste treatment and storage facilities, subject to State Siting Criteria (RCW 70.105.210).	P	
10. Other		
a. Buildings or structures which exceed thirty-five (35) feet in height.	C	

Table 40.230.060-1. Uses		
	A	Special Standards
b. Utilities, other than wireless communications facilities	P	40.260.240
c. Wireless communications facilities	P/C ¹	40.260.250
d. Solid waste handling and disposal sites	C	40.260.200
e. Temporary uses	P	40.260.220

¹ See Table 40.260.250-1.

C. Development standards

1. New lots and structures and additions to structures subject to this chapter shall comply with the applicable standards for lots, building height, setbacks and building separation in Tables 40.230.060-2 and 40.230.060-3, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.060-2. Lot Requirements			
Zoning District	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
Airport	None	None	100

Table 40.230.060-3. Setbacks, Lot Coverage and Building Height					
Zoning District	Minimum Setbacks			Maximum Lot Coverage	Maximum Building Height (feet)
	Front (feet)	Side (feet)	Rear (feet)		
Airport	20	50 ¹	50 ¹	50%	35 ²

¹ When abutting a residential district.

² No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed thirty-five (35) feet in height, unless a conditional use permit is granted.

2. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.
3. Off-street parking and loading. Off-street parking and loading shall be provided as required in Chapter 40.340.
4. Special provisions. When an airport district abuts a residential district, there shall be a minimum of five hundred (500) feet from the end of any runway and the residential district.

40.230.070 URBAN HOLDING DISTRICTS (UH-5, UH-10, UH-20)

A. Purpose.

1. The Urban Holding-5 zone (UH-5) is applied to certain areas in the gorge scenic area to reflect unique regulatory approaches used by the gorge commission in the review of development regulations.
2. The Urban Holding-10 zone (UH-10) may be applied to protect certain lands identified within urban growth areas from premature development when public policy establishes urbanization criteria such as requiring annexation prior to development. The urban holding-10 district is also appropriate where public facilities are inadequate to support development under the urban zoning designation. These areas are generally identified on the zoning map with the ultimate urban zone followed by the suffix "X" and identified urban zoning is described in the comprehensive plan, Chapter 12, special implementation procedures section and Section 40.560.020(F), contingent zoning.
3. The Urban Holding-20 acre zone (UH-20) has the same purpose as UH-10 except that the area is intended to be developed for industrial or office type nonresidential uses and retention in larger lots will ensure the site is adequate in size to accommodate large industrial or office developments.

B. Uses. The uses set out in Table 40.230.070-1, following this section, are examples of uses allowable in the various zone districts. The appropriate review authority is mandatory.

"P" Uses allowed subject to approval of applicable permits.

"R/A" Uses permitted upon Review and Approval as set forth in Section 40.520.020.

"C" Conditional uses which may be permitted subject to the approval of a Conditional Use Permit as set forth in Section 40.520.030 and the additional conditional use criteria below:

- a. Permanent structures or facilities shall be designed and located to provide for the orderly extension of public roads, water and sewer to the site and surrounding properties.
- b. All necessary urban road, drainage and other urban development requirements shall apply to ensure that future urban development will occur in an orderly manner.
- c. Signed agreements between the property owner and the service provider(s) to connect to public sewer and water when they become available within one thousand (1,000) feet of the site shall be provided prior to commencing the authorized use; provided, such extension or connection does not require pump stations or capital facilities, such as larger pipes, to increase the capacity of the system.

"X" Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Special Uses (Chapter 40.260) or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.070-1. Uses				
	UH-5	UH-10	UH-20	Special Standards
1. Residential				
a. Single-family dwellings and accessory buildings	P	P	P	40.260.010
b. Family day care centers	P	P	P	40.260.160
c. Home occupations	R/A	R/A	R/A	40.260.100
d. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	R/A	R/A	40.260.050
e. Bed and breakfast establishments (3 or more guest bedrooms)	C	C	C	40.260.050
f. Garage sales	P	P	P	40.260.090
g. Residential care homes	C	C	C	40.260.180
h. Temporary dwellings	P	P	P	40.260.210
2. Services, Business				
a. Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials.	R/A	R/A	R/A	
b. Roadside stands not exceeding two hundred (200) square feet in area	P ¹	P ¹	P ¹	

Table 40.230.070-1. Uses				
	UH-5	UH-10	UH-20	Special Standards
c. Veterinary clinics	C	C	C	
d. Kennels	C	C	C	40.260.040
3. Services, Amusement				
a. Publicly owned recreational facilities, services, parks and playgrounds	P	P	P	
b. Private recreation facilities, such as country clubs and golf courses, including such intensive commercial recreational uses as golf driving range, race track, amusement park or gun club	C	C	C	
c. Golf courses	C	C	C	
d. Riding stables	C	C	C	
e. Outdoor public entertainments, amusements and assemblies	R/A	R/A	R/A	Chapter 5.32 40.260.060
4. Services, Membership Organization				
a. Churches	C	C	C	
5. Services, Educational				
a. Public or private schools, but not including business, dancing or technical schools	C	C	C	40.260.160
6. Public Service and Facilities				
a. Private ambulance dispatch facilities	C	C	C	40.260.030
b. Government facilities	C ²	C ²	C ²	
7. Resource Activities				
a. Agricultural and forestry, including any accessory buildings and activities	P	P	P	40.260.080
b. Silviculture	P	P	P	40.260.080
c. Commercial uses supporting agricultural and forestry resource uses	P ³	P ³	P ³	
d. Quarters, accommodations, or areas for transient labor, such as labor cabins or camps	P	P	P	
8. Other				
a. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, water shed intake facilities, gas and water transmission lines	P	P	P	40.260.240
b. Solid waste handling and disposal sites	C	C	C	40.260.200
c. Wireless communications facilities	P/C ⁴	P/C ⁴	P/C ⁴	40.260.250
d. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematoria is within two hundred (200) feet of a lot in a residential district.	C	C	C	
e. Temporary uses	P	P	P	40.260.220

¹ Exclusively for the sale of agricultural products locally grown, and set back a minimum twenty (20) feet from the abutting right-of-way or property line.

² Including fire stations, ambulance dispatch facilities and storage yards, warehouses, or similar uses.

³ Commercial uses supporting agricultural and forestry resource uses, such as packing, first stage processing and processing which provides value added to resource products.

⁴ See Table 40.260.250-1.

C. Development standards

1. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for lots and building height, and setbacks in Tables 40.230.070-2 and 40.230.070-3, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.070-2. Lot Requirements			
Zoning District	Minimum Lot Area (acres) ¹	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
UH-5	5 acres	140 ²	None
UH-10	10 acres	140 ²	None
UH-20	20 acres	330 ²	None

¹ Utilities, structures and uses including but not limited to utility substations, pump stations, wells, water shed intake facilities, gas and water transmission lines and telecommunication facilities may be permitted on newly approved lots of less than the minimum parcel size

² Unless a greater width shall be required by the Clark County fire code.

Table 40.230.070-3. Setbacks, Lot Coverage and Building Height						
Zoning District	Minimum Setbacks				Maximum Lot Coverage	Maximum Building Height (feet)
	Front (feet)	Side		Rear (feet)		
		Street (feet)	Interior (feet)			
UH-5	50	25	20, 50 ¹	20, 50 ²	NA	35 ³
UH-10	50	25	20, 50 ¹	20, 50 ²	NA	35 ³
UH-20	50	25	20, 50 ¹	20, 50 ²	NA	35 ³

¹ Side Setback. Minimum side setback on each side of the residential dwelling and incidental buildings shall be twenty (20) feet, and fifty (50) feet for accessory buildings used for agricultural purposes. Side setbacks from abutting property zoned for natural resource or surface mining uses shall be a minimum of fifty (50) feet for all structures.

² Rear Setback. Minimum rear setback shall be fifty (50) feet when abutting property zoned for natural resource or surface mining uses.

³ Residential buildings only.

2. Nonconforming lots--Lot reconfiguration standards.
 - a. Purpose. It is in the public interest to encourage the protection of sensitive lands, expand the amount of commercially viable resource land under single ownership and reduce the amount of road and utility construction.
 - b. Lot Reconfiguration. Except for previously approved agricultural or forest zoned clusters or rural residential planned unit developments, these substandard lots may be modified where consistent with the following criteria. Parcels which meet all of the following criteria are eligible for reconfiguration and reduction in size subject to a Type II review if:
 - (1) Existing parcel(s) are:
 - (a) Smaller than the minimum lot size established for new lots in the applicable zoning district. Parcels which meet the minimum lot size may be adjusted as a part of this process, but may not be decreased below the established minimum lot size;
 - (b) Determined to be legally created, have lawful access, and be buildable.
 - (2) Proposed parcel(s) result in the following:
 - (a) No additional parcels;

- (b) Have septic suitability approval;
 - (c) Have adequate public or private potable water at the time of occupancy;
 - (d) Each resulting legal nonconforming parcel shall be at least one (1) acre in size with a minimum width of at least one hundred forty (140) feet.
 - (e) Result in achieving one (1) or more of the identified public interest issues in one (1) above.
- c. Lot Requirements. The setback, dimensional, use and height standards for these lots shall be as established for the Rural-5 zone except that reductions in side and rear setbacks shall be granted where necessary to permit construction of a dwelling on the parcel; provided, when the parcel is abutting, or surrounded by, property zoned for resource uses, the minimum setback from those property lines shall be fifty (50) feet for all structures.
- 3. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.
- 4. Off-street parking. Off-street parking shall be provided as required in Chapter 40.340.